

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application Pursuant to Public Utilities Code
Section 854 for Approval of the Indirect Transfer
of Control Of XO California, Inc. (U 5553 C) and
XO Long Distance Services, Inc. (U 6272 C).

Application 02-05-018

**RULING DENYING XO CALIFORNIA'S MOTION FOR LEAVE
TO FILE CONFIDENTIAL AND PROPRIETARY FINANCIAL
INFORMATION UNDER SEAL**

With its application in this proceeding, XO California, Inc. (XO) seeks confidential treatment certain financial information. XO claims that its balance sheet and income statements are confidential and that the unredacted copies should be filed under seal, with redacted copies filed publicly. XO makes a generic claim that information in the balance sheets and income statements would, if publicly disclosed, subject it to an unfair business disadvantage.

XO's showing is not adequate. It is required, as a prerequisite of Commission Rule 36(a), to support its application for transfer of control with its balance sheet and income statements. The public interest requires that such required information be open to public review, and XO has failed to establish a right to confidentiality. It is inadequate to assert that XO will suffer business disadvantage without explaining how that disadvantage might arise.

IT IS RULED that XO California, Inc. (XO) motion for leave to file confidential and proprietary financial information under seal is denied. Such denial is without prejudice to XO's right to establish more directly that release of the materials to the public would cause it harm.

Dated June 17, 2002, at San Francisco, California.

/s/ Sarah R. Thomas

Sarah R. Thomas
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Ruling Denying XO California's Motion For Leave to File Confidential and Proprietary Financial Information Under seal on all parties of record in this proceeding or their attorneys of record.

Dated June 17, 2002, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.